

115TH CONGRESS
2D SESSION

H. R. 5751

To redesignate Golden Spike National Historic Site and to establish the
Transcontinental Railroad Network.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2018

Mr. BISHOP of Utah (for himself, Mr. CURTIS, Mrs. LOVE, and Mr. STEWART) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To redesignate Golden Spike National Historic Site and to
establish the Transcontinental Railroad Network.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Golden Spike 150th
5 Anniversary Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ADJACENT LANDOWNER.**—The term “adja-
9 cent landowner” means the non-Federal owner of
10 property that directly abuts the Park boundaries.

1 (2) HISTORICAL CROSSING.—The term “histor-
2 ical crossing” means a corridor across historical rail-
3 road rights-of-way within the Park—

4 (A) that have been used by adjacent land-
5 owners in an open manner in the past 10 years
6 for vehicle, farm machinery or livestock travel;
7 or

8 (B) where existing utility or pipelines have
9 been placed.

10 (3) NETWORK.—The term “Network” means
11 the Transcontinental Railroad Network established
12 under section 4.

13 (4) PARK.—The term “Park” means the Gold-
14 en Spike National Historical Park designated under
15 section 3.

16 (5) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior, acting through the Di-
18 rector of the National Park Service.

19 (6) SUPERINTENDENT.—The term “Super-
20 intendent” means the Superintendent of the Park.

21 (7) TRANSCONTINENTAL RAILROAD.—The term
22 “Transcontinental Railroad” means the approxi-
23 mately 1,912-mile continuous railroad constructed
24 between 1863 and 1869 from Council Bluffs, Iowa,
25 to San Francisco, California.

1 **SEC. 3. REDESIGNATION.**

2 (a) REDESIGNATION.—The Golden Spike National
3 Historic Site established under the Act of July 10, 1965
4 (79 Stat. 426), shall be known and designated as the
5 “Golden Spike National Historical Park”.

6 (b) REFERENCES.—Any reference in a law, map, reg-
7 ulation, document, paper, or other record of the United
8 States to the Golden Spike National Historic Site shall
9 be considered a reference to the “Golden Spike National
10 Historical Park”.

11 (c) NETWORK.—The Park shall be part of the Net-
12 work.

13 **SEC. 4. TRANSCONTINENTAL RAILROAD NETWORK.**

14 (a) IN GENERAL.—The Secretary shall establish,
15 within the National Park Service, a program to be known
16 as the Transcontinental Railroad Network. The Network
17 shall not include properties used in active freight railroad
18 operations (or other ancillary purposes) or reasonably an-
19 ticipated to be used for freight railroad operations in the
20 future.

21 (b) DUTIES OF THE SECRETARY.—In carrying out
22 the Network, the Secretary shall—

23 (1) produce and disseminate appropriate edu-
24 cation materials relating to the history, construction,
25 and legacy of the Transcontinental Railroad, such as

1 handbooks, maps, interpretive guides, or electronic
2 information;

3 (2) enter into appropriate cooperative agree-
4 ments and memoranda of understanding to provide
5 technical assistance under subsection (d); and

6 (3) create and adopt an official, uniform symbol
7 or device for the Network and issue guidance for the
8 use of such symbol or device.

9 (c) ELEMENTS.—The Network shall encompass the
10 following elements:

11 (1) All units and programs of the National
12 Park Service that are determined by the Secretary
13 to relate to the history, construction, and legacy of
14 the Transcontinental Railroad.

15 (2) With the consent of each person owning any
16 legal interest in the property, other Federal, State,
17 local, and privately-owned properties that—

18 (A) have a verifiable connection to the his-
19 tory, construction, and legacy of the Trans-
20 continental Railroad and are included in, or de-
21 termined by the Secretary to be eligible for in-
22 clusion in, the National Register of Historic
23 Places; or

24 (B) are otherwise determined by the Sec-
25 retary to be connected to the history, construc-

1 tion, and legacy of the Transcontinental Rail-
2 road.

3 (3) Other governmental and nongovernmental
4 programs of an educational, research, or interpretive
5 nature that are directly related to the history, con-
6 struction, and legacy of the Transcontinental Rail-
7 road.

8 (d) COOPERATIVE AGREEMENTS AND MEMORANDA
9 OF UNDERSTANDING.—To achieve the purposes of this
10 section and to ensure effective coordination of the Federal
11 and non-Federal elements of the Network described in
12 subsection (c) with National Park System units and pro-
13 grams of the National Park Service, the Secretary may
14 enter into cooperative agreements and memoranda of un-
15 derstanding with, and provide technical assistance to, the
16 heads of other Federal agencies, States, units of local gov-
17 ernment, regional governmental bodies, and private enti-
18 ties.

19 **SEC. 5. AGREEMENTS AFFECTING CERTAIN HISTORICAL**
20 **CROSSINGS.**

21 (a) AGREEMENTS.—At the request of an adjacent
22 landowner, the Superintendent shall enter into an agree-
23 ment with the adjacent landowner regarding an existing
24 historical crossing within the Park.

1 (b) TERMS OF AGREEMENT.—The agreement shall
2 provide that—

3 (1) the adjacent landowner shall give notice to
4 the Superintendent of a proposed activity that will
5 affect the surface or subsurface of the historical
6 crossing;

7 (2) the Superintendent shall review and approve
8 or disapprove the proposed activity within 30 days
9 of the date that the adjacent landowner gives notice
10 of a proposed activity under paragraph (1);

11 (3) the Superintendent shall approve a pro-
12 posed activity if—

13 (A) the adjacent landowner will restore the
14 surface of the historical crossing within a rea-
15 sonable time following the completion of the
16 proposed activity;

17 (B) the proposed activity will last less than
18 one month and will have limited physical impact
19 on the surface of the historical crossing;

20 (C) the proposed activity has been imple-
21 mented by the adjacent landowner or other ad-
22 jacent landowners in the past; or

23 (D) the proposed activity is the subject of
24 a categorical exclusion under the National Envi-

1 ronmental Policy Act of 1969 (42 U.S.C. 4321
2 et seq.); and
3 (4) if the Superintendent disapproves the activ-
4 ity, the adjacent landowner may modify the proposed
5 activity and resubmit it for review under paragraph
6 (1).

7 **SEC. 6. EXOTIC OR INVASIVE SPECIES CONTROL.**

8 At the request of an adjacent landowner, within 30
9 days of such a request, the Superintendent shall authorize
10 the adjacent landowner to participate in the eradication
11 of exotic or invasive species in the Park for a period of
12 up to 10 years, subject to renewal. Such an authorization
13 shall provide—

14 (1) that the exotic or invasive species proposed
15 for eradication is identified as such by the National
16 Park Service;

17 (2) that the method, timing and location of the
18 eradication must be approved by the Superintendent;
19 and

20 (3) appropriate indemnification of the adjacent
21 landowner.

1 **SEC. 7. FUNDING CLARIFICATION.**

2 No additional funds are authorized to carry out the
3 requirements of this Act. Such requirements shall be car-
4 ried out using amounts otherwise authorized.

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